



STATEMENT OF THE G-77 AND CHINA AT 7TH SESSION OF THE CONFERENCE OF THE PARTIES TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME DELIVERED BY H.E. AMBASSADOR LOURDES O. YPARRAGUIRRE, PERMANENT REPRESENTATIVE OF THE PHILIPPINES

Vienna, 6 October 2014

Mr. President,

1. I have the honour to speak on behalf of the Group of 77 and China. It is my pleasure to express our sincere congratulations on your election as the Chair of this 7th Session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime. I also wish to extend our heartfelt felicitations to the members of the Bureau. Rest assured of our full support and cooperation for the successful conclusion of this Session.

2. Let me also take this opportunity to thank the outgoing President of the Conference, H.E. Ambassador Rachmat Budiman, the Permanent Representative of the Republic of Indonesia, for his leadership. I would also like to felicitate the Members of the Bureau of the sixth session for their active role and commitment over the last two years.

3. The Group also wishes to thank the Secretariat for the well-organized preparation of this Conference and for making documents available in a timely manner.

Mr. President,

4. The United Nations Convention against Transnational Organized Crime (UNTOC) and the protocols thereto constitute the main legal instruments available to the international community in the fight against the serious and the growing problem of transnational organized crime. In this regard, we take note of, with satisfaction, the increasing number of ratifications of the UNTOC and the Protocols thereto, which testify the collective will and commitment of Member States to strengthen cooperation in addressing this scourge.

5. We also acknowledge the efforts made by the Parties in promoting the implementation of the Convention and its Protocols and encourage all Parties to continue to strengthen such efforts.

Mr. President,

6. The Conference at its sixth session could not reach consensus to finalize the terms of reference for a review mechanism to assist the States Parties in effectively implementing the Convention, despite the mandates set out by Resolution 5/5 as well as the efforts and active participation by Member States in the deliberations of the open-ended intergovernmental working group established by the Conference. In this regard, we welcome the efforts made by Member States to be actively engaged in dialog and consultations on the possible adoption of a review mechanism. We look forward to a balanced outcome of the consultations during the Conference towards the adoption of such review mechanism, taking into account the paragraphs 3 and 5 of the resolution 5/5.

7. In this context, we wish to reiterate our position regarding the following elements, which need to be preserved in the efforts to establish such review mechanism:

- First, any review mechanism shall be fully consistent with the Convention as well as with the principles and characteristics set out by the Conference in Resolutions 5/5;
- Second, the review mechanism shall be a tool to assist States Parties in identifying and substantiating specific needs to promote and facilitate the provision of technical assistance in order to strengthen international cooperation, Therefore, funding for such technical assistance, being a core element of the review mechanism, needs to be incorporated in the funding structure of such mechanism;
- Third, the core elements of the review mechanism should be funded from the regular budget of the United Nations.

Mr. President,

8. There are other important issues included in the agenda, which are of high value to the Group. We wish to highlight the importance of the work done by the open-ended intergovernmental Working Groups on Trafficking in Persons, Smuggling of Migrants, Trafficking in Firearms, Technical Assistance, and International Cooperation. We look forward to the examination of the conclusions of these working groups by the Conference, and their adoption for further follow-up and implementation.

9. We wish to underscore that the full and effective implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children necessitates continuous enhancing the capacity of States Parties. Any strategy to combat trafficking in persons should be comprehensive and integrated, taking into account the dimensions of prevention and effective law enforcement against this crime, as well as assistance to the victims, especially for the groups in vulnerable situation. In this context, due attention must be given to issues relating to trafficking in Persons for the purpose of removal of organs, to strengthen international cooperation, and to address issues pertaining to supply and demand as well as awareness-raising.

10. In this connection, we welcome the conclusions of the fifth meeting of the Working Group on Trafficking in Persons held in October 2013. We are of the view that the Working Group should continue its work in assisting the Conference. We also take note with appreciation to the publication of the Global Report on Trafficking in Persons in December 2012.

11. Regarding the smuggling of migrants, we also welcome the outcome of the second meeting of the Working Group on Smuggling of Migrants held in November 2013. In this regard, we share the recommendation of the Working Group that State Parties to the Convention that are countries of origin, transit and destination of smuggled migrants are encouraged to enhance cooperation in a comprehensive manner to develop effective measures to prevent the smuggling of migrants, while ensuring the protection of the rights of smuggled migrants, including access to justice and non-criminalization, regardless of their immigration status, nationality, gender, ethnicity, age or religion.

12. We also welcome the work of the Working Group on firearms to advise and assist the conference in fulfilling its mandate in relation to the Protocol on manufacturing of and trafficking in firearms, their parts and components and ammunition. We reaffirm our concerns about growing production, transport and trade of illegal weapons, their parts, components and ammunition as another of the various manifestations of transnational organized crime. Traffickers have developed global networks that should be addressed through international cooperation, including at regional level. Additionally, the group looks forward to the results of the UNODC survey on firearms trafficking, and hopes this initiative can be further strengthened in the near future.

Mr. President,

13. We would like to reiterate our particular concern over the trafficking of cultural property and related

offences, including the growing involvement of organized criminal groups in all forms and aspects of such crimes, which continues to inflict increasing damage on the cultural heritage of our nations and thus, to our identities. In this regard, we welcome the adoption of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences in the 23rd Session of the Commission on Crime Prevention and Criminal Justice. We wish to underline that those Guidelines represent a useful framework to guide Member States in the development and strengthening of their criminal justice policies, strategies, legislation and cooperation mechanisms in the area of protection against trafficking in cultural property and other related offences.

14. For this purpose, we fully support the adoption of these Guidelines by the General Assembly. We also request the Secretariat to report to the Conference on measures taken or needed for implementation of the recommendations made by the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance in their joint discussion on cultural property, held on 18 October 2012, which were endorsed by the Conference in its resolution 6/1.

15. We would also like to express our serious concern over cybercrime including the recently emerging trends, such as the intrusion into the national databases and telecommunication systems. At the same time, we would highlight the need for enhanced international cooperation to effectively counter this challenge.

16. In this light, we attach great importance to the work of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and welcome the Comprehensive Study on Cybercrime that examined the problem at the national, sub-regional, regional and international levels. We call upon the Conference to take further steps, through the open-ended intergovernmental expert group, to continue examining the problem of cybercrime and the responses to it, for enhanced international cooperation, propose new national and international legal responses to tackle this problem, on the basis of the above comprehensive study on cybercrime.

17. We would also like to underscore the importance of the challenges posed by emerging forms of crime that have a significant impact on the environment and the development of the States, such as illicit international trafficking in forest products, including timber, wildlife and other forest biological resources. Although, environmental issues are dealt with in different intergovernmental forums, crimes related to the protection of the environment need to receive proper attention from this Conference while avoiding institutional overlap and duplication of work. And, in that sense, recalls the central role of the Convention on international trade in endangered species. We look forward to a productive discussion that responds to the call of the Salvador Declaration for Member States to adopt measures for preventing and addressing effectively cases of such emerging forms crime.

18. At the same time, we also welcome the joint discussion of the Working Groups on Technical Assistance and International Cooperation, which will be held in the framework of this Conference and looks forward to their recommendations. The Group is strongly convinced that a constructive approach by all Member States will provide this forum with the necessary tools to promote the practical application of this Convention.

19. In this regard, the Group reaffirms the need for enhancing bilateral, regional and global cooperation in the area of exchange of information, extradition and mutual legal assistance, in accordance with domestic legislation, with the aim to contribute to countering the threats posed by transnational organized crime.

Mr. President,

20. We believe technical assistance is a crosscutting issue throughout the Convention, and its provision is an essential part of its effective and efficient implementation of the Convention. In this context, we would like to reemphasize that in order to promote the implementation of the UNTOC, the requesting State Parties should be provided with technical assistance including through the UNODC, especially for the benefit of developing countries. To this end, appropriate funding mechanisms need to be developed.

21. In this line, we highlight once more the importance of adequate financial and administrative support for full, efficient and effective implementation of the activities assigned to the UNODC. Additionally, assuring a sufficient and stable funding to the Conference and to UNODC is essential to promote programmes and projects which, at the request of the benefiting country, provides the proper technical assistance to implement the Convention. Therefore, we reiterate that the core activities of the Office should be funded from the regular budget.

Mr. President,

22. On the issue of prevention of terrorism, the Group notes with concern the links that in some cases may exist between transnational organized crime and terrorist activities (taking into account CCPCJ resolutions 21/3 and 22/5). To face this challenge, the Group calls for strengthening international responses, inter alia, through more effective implementation and application of the Convention, as well as all applicable regional and international counter-terrorism legal instruments.

23. We call upon requested Member States to continue to assist requesting Member States with technical assistance to build capacity and strengthen cooperation at sub-regional, regional and international levels in order to effectively response to the new strategies employed by terrorist organizations.

24. We welcome the efforts made by the Government of Qatar for hosting the thirteenth United Nations Congress on Crime Prevention and Criminal Justice, and call upon all Member States to be represented at the highest appropriate level.

Mr. President,

25. This Session of the Conference is timely for reassessing our work. Hopefully the outcome of this meeting will pave the way for better global responses and concerted actions in countering the challenges in the years ahead as well as in effectively implementing the Convention and its Protocols thereto.

26. Finally, the Group wishes you and the members of the Bureau success in your work.

Thank you, Mr. President.